

UNAPPROVED MINUTES
VIRGINIA BOARD OF LONG TERM CARE ADMINISTRATORS
MEETING MINUTES

The Virginia Board of Long Term Care Administrators convened for a board meeting on Tuesday, March 15, 2011 at the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, 2nd Floor, Board Room #2, Henrico, Virginia.

The following members were present:

Mary M. Smith, NHA, Chair
John Randolph Scott, NHA, ALFA, Vice-Chair
Ted A. LeNeave, NHA
Martha H. Hunt, ALFA
Kathleen R. Fletcher, MSN
Thomas J. Orsini, NHA
Dianne L. Denny, ALFA

The following members were absent:

Bertha Simmons, NHA, ALFA
Gracie Bowers

DHP staff present for all or part of the meeting included:

Lisa R. Hahn, Executive Director
Lynne Helmick, Deputy Executive Director
Dr. Dianne Reynolds-Cane, Agency Director
Arne W. Owens, Chief Deputy Director
Elaine Yeatts, Senior Policy Analyst
Missy Currier, Board Operations Manager

Representative from the Office of the Attorney General present for the meeting:

Amy Marschean, Senior Assistant Attorney General

Quorum:

With 7 members present & consisting of at least one citizen member, a quorum was established.

Guests Present:

Beverley Sobel, VHCA
Dana Parsons, VANHA

CALLED TO ORDER

Ms. Smith, Chair, called the Board meeting to order at 10: 40 a.m.

WELCOME

Ms. Smith, Chair welcomed Dianne Denny as the new member to the Board of Long Term Care Administrators and then asked all the members to introduce themselves.

PUBLIC COMMENT PERIOD

There was no public comment.

ACCEPTANCE OF MINUTES

Upon a motion by Mr. LeNeave and properly seconded by Ms. Hunt, the Board voted to accept the minutes of the board meeting on December 6, 2010. The motion passed unanimously.

A revision was later suggested by Ms. Yeatts to change Adoption of NOIRA Related to Fee Adjustments to Adoption of Proposed Regulations Related to Fee Adjustments. Motion was made by Mr. LeNeave and properly seconded by Ms. Hunt to reconsider the amended minutes. The motion passed unanimously.

Upon a motion by Mr. LeNeave and properly seconded by Ms. Hunt, the Board voted to accept the amended minutes of the meeting on December 6, 2011. The motion passed unanimously.

Upon a motion by Mr. LeNeave and properly seconded by Ms. Fletcher, the Board voted to accept the Formal Hearing Minutes dated December 6, 2010. The motion passed unanimously.

EXECUTIVE DIRECTOR'S REPORT – Lisa R. Hahn

Ms. Hahn began her report by wishing everyone a happy “National Long Term Care Administrators” week. She also indicated that with such a light agenda the meeting would have been cancelled, but because two hearings were already scheduled, it made sense to hold the meeting.

Expenditure & Revenue Summary FY11

The cash balance as of June 30, 2010 was \$(98,946); the revenue for Fiscal Year 11 was \$33,940; direct and allocated expenditures were \$310,357; the ending cash balance as of January 31, 2011 was \$(375,363).

Ms. Hahn gave a synopsis of the two factors most directly impacting the budget deficit which were VITA costs and Investigative costs. Dr. Reynolds-Cane commented that she was working diligently with the Secretary's office and VITA to find solutions and ways of reducing the exorbitant charges to the Agency. Additionally, Ms. Hahn stated that the

regulations for the fee increase were still sitting at the Secretary's office and not moving as quickly as the board would like.

Ms. Hahn shared cost saving measures that she has implemented in an effort to help reduce investigatory costs. Most recently, she is working on a "pilot" project which replaces copying large case files onto paper with copying directly onto a computer disc. Ms. Hahn indicated that all large copy projects must first be approved by her before they are sent to the Copy Center. She added that Enforcement is doing a terrific job working in conjunction with the board on how to proceed with a case and gather only what information is necessary. Ms. Hahn is also reviewing all preliminary offline cases to ensure only cases that substantiate a violation or regulation or law are investigated.

Ms. Hahn also mentioned in another effort to reduce costs that we are polling board members about their willingness and ability to bring their personal laptops to meetings rather than being provided with hard copies. Although this method has not been decided upon, the likelihood in light of the budget seems to make sense.

Ms. Hahn concluded that it was very important that the Special Committee on Disciplinary Review work to define protocols for investigating a case so that we can help streamline the process and eliminate unnecessary collection of records. Ms. Smith appointed Martha Hunt as Chair of this Committee.

Discipline Statistics

Ms. Hahn reported there are currently 33 open cases; 16 cases are in Investigations, 14 cases are in the probable cause level, 1 case is in APD, 1 is at the informal stage, and 1 is at the formal stage. She also shared that the board opened 59 cases this year and closed 74 compared to last year in which 89 cases were opened and 57 were closed. Ms. Hahn concluded that the numbers appear to indicate a leveling off of incoming cases.

Virginia Performs

Ms. Hahn reported the clearance rate for the Quarter ending September 30, 2010 was 60%. Ms. Hahn explained that this percentage is determined by how many cases are received versus how many cases the board is able to close. During this quarter we received 20 cases and closed 12. The age of our pending case load over 250 days is at 4%; the customer satisfaction rating achieved was 100%; and licensing within 30 days was at 100%.

Probable Cause Review Sheet

Ms. Hahn provided the members with a copy of the new probable cause review sheet that she revised in an effort to streamline the process. Ms. Hahn stated that the revised form includes more detailed information including previous case history, priority level of the case, investigative hours already spent on case, and key questions for board members to ask themselves while reviewing the case.

Licensee Statistics

Ms. Hahn reported the numbers of current licensees in the State of Virginia are as follows: 70 nursing home administrators in training, 80 assisted living facility administrators in training, 595 assisted living facility administrators, 163 assisted living facility preceptors; 837 nursing home administrators and 231 nursing home preceptors.

Mr. Scott shared his observation that the number of licensed nursing home administrators this year had not increased by many over the past year. Ms. Hahn responded that the number of administrators not renewing was reflected in the statistic and that she would have her staff pull that information and provide back to the board.

OTHER BUSINESS

Ms. Hunt brought forward a concern to the board about the DSS Risk Assessment being used in Assisted Living Facilities. She expressed concern that it is confusing and difficult to understand for both the facilities and the DSS Inspectors. Ms. Hahn recommended that the board invite DSS to attend the next board meeting to better explain the process.

Ms. Hahn reported that she and Ted LeNeave attended the NAB Executive Committee Meeting in Santa Rosa, California March 3-4, 2011.

Ms. Hahn shared that as the Chair of the NAB State Governance and Regulatory Issues Committee, she will be hosting three regional conference calls with NAB on March 29, 2011. The calls are designed specifically to provide members with an update on NAB activities between their in person Annual and Mid-Year meetings, and to provide those who cannot attend a meeting in person to have the opportunity to interact with NAB's leadership.

Ms. Hahn shared that the University of Wisconsin-Eau Claire received a grant from the Commonwealth Fund and NAB to conduct a practicum site quality profile for LTC administration programs.

Mr. LeNeave shared that he is on a NAB Reciprocity Committee whose main focus is to get Administrators that are already licensed to move easier into other states.

Ms. Hahn handed out the new NAB Brochure for the members to review at their convenience.

2011 Calendar

Ms. Hahn stated the remaining 2011 board meetings were scheduled for June 21st, September 13th, and December 13th. Following this announcement, it was recommended that the board reschedule the June 21st meeting to a date in July due to the requirements of the new law. The law requires the board to begin promulgating regulations for the oversight of acting administrators of assisted living facilities who have sought licensure but who are not

yet licensed. Since the law goes into effect July 1st, it makes sense for the board to meet after July 1st. Ms. Hahn stated that we would look at the schedule and availability and get back to the board.

NEW BUSINESS

Legislative & Regulatory Reports – Elaine Yeatts

Ms. Yeatts gave a brief overview of the following 2011 General Assembly Bills; **HB 1459, HB 1535, HB 1862, HB 1968, HB 2037, HB 2216, SB 1117, SB 1147, SB 1093, SB 1917.**

Ms. Yeatts further discussed SB1917 (amendment to reporting requirement to include administrators of assisted living facilities) and SB 1093 (An Act to amend and reenact §§ 54.1-3103.1 and 63.2-1803 of the Code of Virginia, relating to administration of assisted living facilities) and recommended that as the board considers how to implement the new law, it should focus particularly on the supervision of the preceptor in an administrator-in-training program in which the trainee is an acting administrator. Ms. Yeatts requested that the members forward any suggestions to her or Ms. Hahn prior to the next meeting.

Ms. Yeatts concluded by suggesting that the Regulatory/Legislative Committee meet prior to the July board meeting.

ELECTION OF OFFICERS

In anticipation of upcoming changes to board membership, Mary Smith, Board Chair suggested that the election of officers be deferred to the next full board meeting.

CONCLUSION

Ms. Hahn stated that she would consult with Ms. Smith, Board Chair and the calendar availability for the Special Committee meetings and let the members know the date and time once confirmed.

Mr. LeNeave thanked Mary Smith for her years of hard work and dedication while on the board and for a job very well done.

ADJOURNMENT

With all business concluded, the meeting was adjourned at 12:05 p.m.

Mary Smith, NHA, Chair

Lisa R. Hahn, Executive Director

Date

Date